

**AMENDMENT TO THE AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 10  
OFFERED BY MRS. KELLY, MR. FEENEY, MR.  
ROYCE, MR. RENZI, AND MR. SHERMAN**

Add at the end of title IV the following new subtitle:

**Subtitle I—International  
Cooperation**

**SEC. 4121. ANNUAL REPORT BY SECRETARY OF THE TREAS-  
URY.**

Not later than March 1 of each year, the Secretary of the Treasury shall submit to the Congress a report that identifies each country that is a country of concern because that country is providing financial support for domestic terrorism or international terrorism or that country is not taking steps to terminate the provision of financial support for domestic terrorism or international terrorism by persons or entities that are in, or are nationals of, that country. The report shall include the information on which the Secretary relied in determining whether or not each country is such a country of concern.



1 SEC. 4122. WITHHOLDING OF BILATERAL ASSISTANCE; POL-  
2 ICY REGARDING MULTILATERAL DEVELOP-  
3 MENT ASSISTANCE.

4 (a) WITHHOLDING OF BILATERAL ASSISTANCE; POL-  
5 ICY REGARDING MULTILATERAL DEVELOPMENT ASSIST-  
6 ANCE.—

7 (1) BILATERAL ASSISTANCE.—Fifty percent of  
8 the United States assistance allocated each fiscal  
9 year in the report required by section 653 of the  
10 Foreign Assistance Act of 1961 for each country of  
11 concern listed in the report submitted to Congress  
12 under section 4121 shall be withheld from obligation  
13 and expenditure, except as provided in subsection  
14 (b). This paragraph shall not apply with respect to  
15 a country if the President determines that its appli-  
16 cation to that country would be contrary to the na-  
17 tional interest of the United States, except that any  
18 such determination shall not take effect until at  
19 least 15 days after the President submits written no-  
20 tification of that determination to the appropriate  
21 congressional committees in accordance with the  
22 procedures applicable to reprogramming notifications  
23 under section 634A of the Foreign Assistance Act of  
24 1961.

25 (2) MULTILATERAL ASSISTANCE.—

1 (A) IN GENERAL.—It is the sense of Con-  
2 gress that the Secretary of the Treasury should  
3 instruct the United States Executive Director  
4 of each multilateral development bank to vote,  
5 on and after March 1 of each year, against any  
6 loan or other utilization of the funds of their re-  
7 spective institution to or for any country of con-  
8 cern listed in the report submitted under sec-  
9 tion 4121, except as provided in subsection (b).  
10 For purposes of this paragraph, the term “mul-  
11 tilateral development bank” means the Inter-  
12 national Bank for Reconstruction and Develop-  
13 ment, the International Development Associa-  
14 tion, the Inter-American Development Bank,  
15 the Asian Development Bank, the African De-  
16 velopment Bank, and the European Bank for  
17 Reconstruction and Development.

18 (B) WITHHOLDING OF FUNDING AUTHOR-  
19 IZED.—If a multilateral development bank pro-  
20 vides a loan, guarantee, or other form of assist-  
21 ance to a country of concern listed in the most  
22 recent report submitted under section 4121,  
23 then, notwithstanding any other provision of  
24 law, the Secretary of the Treasury may with-  
25 hold from such multilateral development bank,



1 from amounts available for United States con-  
2 tributions to that multilateral development  
3 bank, an amount equal to the amount of such  
4 loan, guarantee, grant, or other assistance, ex-  
5 cept as provided in subsection (b).

6 (b) CERTIFICATION PROCEDURES.—

7 (1) WHAT MUST BE CERTIFIED.—Subject to  
8 subsection (c), the assistance withheld from a coun-  
9 try of concern pursuant to subsection (a)(1) may be  
10 obligated and expended, and subsection (a)(2) shall  
11 not apply with the respect to a country of concern,  
12 if the President determines and certifies to the Con-  
13 gress, at the time of the submission of the report re-  
14 quired by section 4121, that—

15 (A) during the previous year the country  
16 has cooperated fully with the United States, or  
17 has taken adequate steps on its own, to termi-  
18 nate the provision of financial support for do-  
19 mestic terrorism or international terrorism, as  
20 the case may be, by the government of that  
21 country or by persons or entities that are in, or  
22 are nationals of, that country; or

23 (B) for a country that would not otherwise  
24 qualify for certification under subparagraph  
25 (A), the vital national interests of the United

1 States require that the assistance withheld pur-  
2 suant to subsection (a)(1) be provided, and that  
3 subsection (a)(2) not apply to that country.

4 (2) INFORMATION TO BE INCLUDED IN NA-  
5 TIONAL INTEREST CERTIFICATION.—If the President  
6 makes a certification with respect to a country pur-  
7 suant to paragraph (1)(B), the President shall in-  
8 clude in such certification—

9 (A) a full and complete description of the  
10 vital national interests placed at risk if United  
11 States bilateral assistance to that country is  
12 terminated pursuant to this section, or if sub-  
13 section (a)(2) applies with respect to that coun-  
14 try; and

15 (B) a statement weighing the risk de-  
16 scribed in subparagraph (A) against the risks  
17 posed to the vital national interests of the  
18 United States by the failure of such country to  
19 cooperate fully with the United States, or to  
20 take adequate steps on its own, to terminate  
21 the provision of financial support for domestic  
22 terrorism or international terrorism, as the case  
23 may be.

24 (c) CONGRESSIONAL REVIEW.—Subsection (d) shall  
25 apply if, within 30 calendar days after receipt of a certifi-



1 cation submitted under subsection (b) at the time of sub-  
2 mission of the report required by section 4121, the Con-  
3 gress enacts a joint resolution disapproving the determina-  
4 tion of the President contained in such certification.

5 (d) CONSEQUENCES FOR COUNTRIES DECERTI-  
6 FIED.—If the President does not make a certification  
7 under subsection (b) with respect to a country of concern  
8 or the Congress enacts a joint resolution disapproving  
9 such certification, then until such time as the conditions  
10 specified in subsection (e) are satisfied—

11 (1) funds may not be obligated for United  
12 States assistance for that country, and funds pre-  
13 viously obligated for United States assistance for  
14 that country may not be expended for the purpose  
15 of providing assistance for that country; and

16 (2) subsection (a)(2) shall apply with respect to  
17 that country.

18 (e) RECERTIFICATION.—Subsection (d) shall apply to  
19 a country described in that subsection until—

20 (1) the President, at the time of submission of  
21 the report required by section 4121, makes a certifi-  
22 cation under subsection (b)(1)(A) or (b)(1)(B) with  
23 respect to that country, and the Congress does not  
24 enact a joint resolution under subsection (d) dis-



1 approving the determination of the President con-  
2 tained in that certification; or

3 (2) the President, at any other time, makes the  
4 certification described in subsection (b)(1)(B) with  
5 respect to that country, except that this paragraph  
6 applies only if either—

7 (A) the President also certifies that—

8 (i) that country has undergone a fun-  
9 damental change in government; or

10 (ii) there has been a fundamental  
11 change in the conditions that were the  
12 reason—

13 (I) why the President had not  
14 made a certification with respect to  
15 that country under subsection  
16 (b)(1)(A); or

17 (II) if the President had made  
18 such a certification and the Congress  
19 enacted a joint resolution dis-  
20 approving the determination contained  
21 in the certification, why the Congress  
22 enacted that joint resolution; or

23 (B) the Congress enacts a joint resolution  
24 approving the determination contained in the  
25 certification under subsection (b)(1)(B).



1 Any certification under subparagraph (A) of paragraph  
2 (2) shall discuss the justification for the certification.

3 (f) SENATE PROCEDURES.—Any joint resolution  
4 under this section shall be considered in the Senate in ac-  
5 cordance with the provisions of section 601(b) of the Inter-  
6 national Security Assistance and Arms Export Control Act  
7 of 1976.

8 **SEC. 4123. DEFINITIONS.**

9 In this subtitle:

10 (1) FINANCIAL SUPPORT.—The term “financial  
11 support” includes funds, currency or monetary in-  
12 struments or financial securities, and financial  
13 sources.

14 (2) TERRORISM.—The terms “domestic ter-  
15 rorism” and “international terrorism” have the  
16 meanings given those terms in section 2331 of title  
17 18, United States Code.

